



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

HARRINGTON et al.

Atty. Ref.: 3594-14

Serial No. 10/613,319

TC/A.U.: 3625

Filed: 07 July 2003

Examiner: Thompson, Jr., Forest

For: PROCESS AND APPARATUS FOR CONDUCTING AUCTIONS
OVER ELECTRONIC NETWORKS

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6 August 2004

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

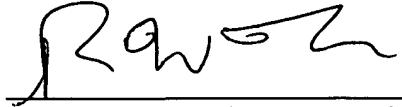
Applicants attach listings (on forms PTO-1449) of items supplied by defendant(s) in still-ongoing litigation involving USP 6,161,099 (see applicants' 6/4/02 filing resubmitted on 10/7/03). Applicants attach a copy of each item other than U.S. patents and patent publications -- which are readily available to the Examiner (see MPEP Section 609: "copies of such U.S. patent documents are not required if ... the IDS is filed in an application filed after June 30, 2003").

Applicants request the Examiner to consider the listed items in this case, and to return an initialed/dated copy of the forms PTO-1449 indicating that the each item has been cited and considered.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By:



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**INFORMATION DISCLOSURE
CITATION**

ATTY. DOCKET NO.

SERIAL NO.

3594-14

10/613,319

APPLICANT

HARRINGTON et al.

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Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to application.

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| INFORMATION DISCLOSURE CITATION | ATTY. DOCKET NO. | SERIAL NO. |
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| (Use several sheets if necessary) | FILING DATE | TC/A.U. |
| | <u>07 July 2003</u> | <u>3625</u> |

*Examiner _____ Date Considered _____

1. Items Referenced In Non-Confidential Portions Of A Report Of Defendant's Technical Expert Scott Bradner In Support Of His Opinion That USP 6,161,099 Is Invalid:

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U.S. Patent No. 5,905,975 – Ausubel

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2. Items Referenced In A Report Of Defendant's Legal Expert

Martin J. Adelman, Esq. In Support of His Opinion That U.S. Patent No. 6,161,099 Is Unenforceable:

USP 5,794,219-Brown

USP 5,835,896-Fisher

"PARITY demonstration software", which Mr. Adelman states was available "prior to May 29, 1997" and which Mr. Adelman describes as follows:

- When the bidder pressed the F7 key, software in the PARITY client would then automatically calculate and display the yield to maturity for that issue whenever the bidder input data;
- At any time the bidder could press the F9 key to view the "TIC Summary" screen that displayed the true interest cost values that the calculator software in the PARITY client automatically calculated based on the data the bidder had input on the "Bid Entry" screen; and
- The "TIC Summary" screen [*sic: screen*] also displayed other automatically calculated information including the NIC, Accrued Interest, Average Life, Total Interest Cost, Total Debt Service, Accrued Interest and other data.